

mented under the authority of this section is a citizen of the United States within the meaning of 46 U.S.C. 12102(a), (2) the foreign-built cruise ship re-documented under the authority of this section meets the eligibility requirements for a certificate of inspection under section 1137(a) of Public Law 104-324 and applicable international agreements and guidelines referred to in section 1137(a)(2) thereof and the 1992 Amendments to the Safety of Life at Sea Convention of 1974, and that with respect to the re-documented foreign-built cruise ship, any repair, maintenance, alteration, or other preparation necessary to meet such requirements be performed in a United States shipyard, (3) any non-warranty repair, maintenance, or alteration work performed on any ship documented under the authority of this section shall be performed in a United States shipyard unless the Administrator of the Maritime Administration finds that such services are not available in the United States or if an emergency dictates that the ship proceed to a foreign port for such work, (4) any ship documented under the authority of this section shall operate in regular service between or among the islands of Hawaii, (5) no person, nor any ship operating between or among the islands of Hawaii, shall be entitled to the preference contained in the second proviso of section 8109 of Public Law 105-56, and (6)

(transporting  
passengers)

and shall  
not transport  
passengers  
in revenue  
service to ports

in Alaska, the Gulf of Mex  
or the Caribbean Sea, except  
for reconstruction repair mainte

... of a vessel to or from a shipyard for reconstruction repair mainte

no cruise ship operating in coastwise trade under the authority of this section or constructed under the authority of this section shall be eligible for a guarantee of financing under title XI of the Merchant Marine Act 1936: *Provided further*, That any cruise ship to be documented under the authority of this section shall be immediately eligible before documentation of the vessel for the approval contained in section 1136(b) of Public Law 104-324: *Provided further*, That for purposes of this section the term "cruise ship" means a vessel that is at least 60,000 gross tons and not more than 120,000 gross tons (as measured under chapter 143 of title 46, United States Code) and has berth or stateroom accommodations for at least 1,600 passengers, the term "one or both ships" means collectively the partially completed hull and related components, equipment, and parts of whatever kind acquired pursuant to the construction contract described in section 8109 of Public Law 105-56 and intended to be incorporated into the ships constructed thereto, the term "related person" means with respect to a person: a holding company, subsidiary, or affiliate of such person meeting the citizenship requirements of section 12102(a) of title 46, United States Code, and the term "regular service" means the primary service in which the ship is engaged on an annual basis.

~~SEC. 212. WEST COAST GROUND FISH FISHERY CAP-~~

~~PACITY REDUCTION.~~ (a) The Secretary of Commerce shall implement a fishing capacity reduction program for the West Coast groundfish fishery pursuant to section 212 of Public Law 107-206 and 16 U.S.C. 1861a (b)-(e); except that the program may apply to multiple fisheries; except that within 90 days after the date of enactment of this Act, the Secretary shall publish a public notice in the Federal Register and issue an invitation to bid for reduction payments that specifies the contractual terms and conditions under which bids shall be made and accepted under this section; except that section 144(d)(1)(K)(3) of title I, division B of Public Law 106-554 shall apply to the program implemented by this section.

(b) A reduction fishery is eligible for capacity reduction under the program implemented under this section; except that no vessel harvesting and processing whiting in the catcher-processors sector (section 19.660.323(a)(4)(A) of title 50, Code of Federal Regulations) may participate in any capacity reduction referendum or industry fee established under this section.

(c) A referendum on the industry fee system shall occur after bids have been submitted, and such bids have been accepted by the Secretary, as follows: members of the reduction fishery, and persons who have been issued

Washington, Oregon, or California Dungeness crab and Pink shrimp permits, shall be eligible to vote in the referendum to approve an industry fee system; referendum votes cast in each fishery shall be weighted in proportion to the debt obligation of each fishery, as calculated in subsection (f) of this section; the industry fee system shall be approved if the referendum votes cast in favor of the proposed system constitute a simple majority of the participants voting; except that notwithstanding 5 U.S.C. 553 and 16 U.S.C. 1861a(e), the Secretary shall not prepare or publish proposed or final regulations for the implementation of the program under this section before the referendum is conducted.

(d) Nothing in this section shall be construed to prohibit the Pacific Fishery Management Council from recommending, or the Secretary from approving, changes to any fishery management plan, in accordance with applicable law; or the Secretary from promulgating regulations (including regulations governing this program), after an industry fee system has been approved by the reduction fishery.

(e) The Secretary shall determine, and state in the public notice published under paragraph (a), all program implementation aspects the Secretary deems relevant.

(f) Any bid submitted in response to the invitation to bid issued by the Secretary under this section shall be irrevocable; the Secretary shall use a bid acceptance procedure that ranks each bid in accordance with this paragraph and with additional criteria, if any, established by the Secretary: for each bid from a qualified bidder that meets the bidding requirements in the public notice or the invitation to bid, the Secretary shall determine a bid score by dividing the bid's dollar amount by the average annual total ex-vessel dollar value of landings of Pacific groundfish, Dungeness crab, and Pink shrimp based on the 3 highest total annual revenues earned from such stocks that the bidder's reduction vessel landed during 1998, 1999, 2000, or 2001. For purposes of this paragraph, the term "total annual revenue" means the revenue earned in a single year from such stocks. The Secretary shall accept each qualified bid in rank order of bid score from the lowest to the highest until acceptance of the next qualified bid with the next lowest bid score would cause the reduction cost to exceed the reduction loan's maximum amount. Acceptance of a bid by the Secretary shall create a binding reduction contract between the United States and the person whose bid is accepted, the performance of which shall be subject only to the conclusion of a successful referendum, except that a person whose bid is accepted by

the Secretary under this section shall relinquish all permits in the reduction fishery and any Dungeness crab and Pink shrimp permits issued by Washington, Oregon, or California; except that the Secretary shall revoke the Pacific groundfish permit, as well as all Federal fishery licenses, fishery permits, area, and species endorsements, and any other fishery privileges issued to a vessel or vessels (or to persons on the basis of their operation or ownership of that vessel or vessels) removed under the program.

(g) The Secretary shall establish separate reduction loan sub-amounts and repayment fees for fish sellers in the reduction fishery and for fish sellers in each of the fee-share fisheries by dividing the total ex-vessel dollar value during the bid scoring period of all reduction vessel landings from the reduction fishery and from each of the fee-share fisheries by the total such value of all such landings for all such fisheries; and multiplying the reduction loan amount by each of the quotients resulting from each of the divisions above. Each of the resulting products shall be the reduction loan sub-amount for the reduction fishery and for each of the fee-share fisheries to which each of such products pertains; except that, each fish seller in the reduction fishery and in each of the fee-share fisheries shall pay the fees required by the reduction loan sub-

amounts allocated to it under this paragraph; except that, the Secretary may enter into agreements with Washington, Oregon, and California to collect any fees established under this paragraph.

(h) Notwithstanding 46 U.S.C. App. 1279(b)(4), the reduction loan's term shall not be less than 30 years.

(i) It is the sense of the Congress that the States of Washington, Oregon, and California should revoke all relinquishment permits in each of the fee-share fisheries immediately after reduction payment, and otherwise to implement appropriate State fisheries management and conservation provisions in each of the fee-share fisheries that establishes a program that meets the requirements of 16 U.S.C. 141861a(b)(1)(B) as if it were applicable to fee-share fisheries.

(j) The term "fee-share fishery" means a fishery, other than the reduction fishery, whose members are eligible to vote in a referendum for an industry fee system under paragraph (c). The term "reduction fishery" means that portion of a fishery holding limited entry fishing permits endorsed for the operation of trawl gear and issued under the Federal Pacific Coast Groundfish Fishery Management Plan.

SEC. 213. Paragraph (2) of section 308(b) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a(b)(2)) is amended to read as follows:

“(2) Amounts in the Fund up to \$3,000,000 a fiscal year shall be available to the Secretary of Commerce for expenses incident to the administration of this title.”.]

SEC. 214. (a) The National Oceanic and Atmospheric Administration is authorized to enter into a lease arrangement whereby the National Oceanic and Atmospheric Administration will relocate the National Weather Service Forecasting Office in Galveston County, League City, Texas to a Galveston County facility and, in exchange, Galveston County may use the existing National Oceanic and Atmospheric Administration National Weather Service Forecasting Office. (3)

(b) Neither the National Oceanic and Atmospheric Administration National Weather Service nor Galveston County will charge the other rent for use of the space and each will be responsible for the operation, maintenance and renovation costs it incurs.

SEC. 215. (a) Hereafter, habitat conservation activities, enforcement and surveillance—cooperative enforcement and vessel monitoring, stock assessments—data collection, and highly migratory shark fishery research under (4)



the heading, "National Oceanic and Atmospheric Administration, Operations, Research and Facilities", shall be considered to be within the "Coastal Assistance sub-category" in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(b) For fiscal year 2004 and thereafter, response and restoration activities, Cooperative Research, Protected Species ~~Activities~~, Endangered Species Act—Marine Mammals, Sea Turtles and Other Species, Endangered Species Act—Right Whales, Marine Mammal Protection, and Sea Grant (except for the fellowship program) under the heading, "National Oceanic and Atmospheric Administration, Operations, Research, and Facilities", shall be considered to be within the "Coastal Assistance sub-category" in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. (a)

(c) All references to outlays in title VIII of Public Law 106–291 are repealed.

This title may be cited as the "Department of Commerce and Related Agencies Appropriations Act, 2003".

### TITLE III—THE JUDICIARY

#### SUPREME COURT OF THE UNITED STATES

##### SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the

building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed \$10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed \$10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, \$45,743,000.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect as authorized by law, \$41,626,000, which shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL  
CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, \$20,313,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services, and necessary expenses of the court, as authorized by law, \$13,687,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER  
JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, \$3,800,000,000 (including the purchase of firearms and ammunition); of which not to exceed \$27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$2,784,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Public Defender and Community Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964,

as amended; the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act of 1964 (18 U.S.C. 3006A(e)); the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences; the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d); and for necessary training and general administrative expenses, \$538,461,000, to remain available until expended.

#### FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)), \$54,636,000, to remain available until expended: *Provided*, That the

compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

#### COURT SECURITY

For necessary expenses, not otherwise provided for, incident to providing protective guard services for United States courthouses and the procurement, installation, and maintenance of security equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100-702), ~~\$270,400,000~~, of which not to exceed \$10,000,000 (268,400,000) shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

#### ADMINISTRATIVE OFFICE OF THE UNITED STATES

#### COURTS

#### SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, includ-

ing travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, \$63,500,000, of which not to exceed \$8,500 is authorized for official reception and representation expenses.

#### FEDERAL JUDICIAL CENTER

##### SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, \$20,856,000; of which \$1,800,000 shall remain available through September 30, 2004, to provide education and training to Federal court personnel; and of which not to exceed \$1,000 is authorized for official reception and representation expenses.

#### JUDICIAL RETIREMENT FUNDS

##### PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), \$27,700,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), \$5,200,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), \$2,400,000.

## UNITED STATES SENTENCING COMMISSION

## SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, \$12,090,000, of which not to exceed \$1,000 is authorized for official reception and representation expenses.

## GENERAL PROVISIONS—THE JUDICIARY

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except "Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" and "Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners", shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for district

courts, courts of appeals, and other judicial services shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed \$11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

This title may be cited as the “Judiciary Appropriations Act, 2003”.

#### TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

##### DEPARTMENT OF STATE

##### ADMINISTRATION OF FOREIGN AFFAIRS

##### DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed \$700,000 of this appropriation), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948, as amended; representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress; arms control, nonproliferation and



disarmament activities as authorized; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration, \$3,269,258,000: *Provided*, That, of the amount made available under this heading, not to exceed \$4,000,000 may be transferred to, and merged with, funds in the "Emergencies in the Diplomatic and Consular Service" appropriations account, to be available only for emergency evacuations and terrorism rewards: *Provided further*, That, of the amount made available under this heading, \$292,693,000 shall be available only for public diplomacy international information programs: *Provided further*, That, of the amount made available under this heading, \$500,000 shall be available only for grants to the participating organizations in the War Against Trafficking Alliance for activities and services related to preparation, execution and follow-up for an international conference on sex trafficking: *Provided further*, That the Secretary shall appoint an advisory panel, reporting directly to the Secretary, to assess policy goals and program priorities with regard to United States relations with the countries of Sub-Saharan Africa and to advise the Secretary of any related findings and recommendations: *Provided further*, That this panel shall not be considered to be a Federal advisory committee for purposes of the Federal Advisory

Committee Act (5 U.S.C. App): *Provided further*, That funds available under this heading may be available for a United States Government interagency task force to examine, coordinate and oversee U.S. participation in the United Nations headquarters renovation project: *Provided further*, That no funds may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China unless, at least 15 days in advance, the Committees on Appropriations of the House of Representatives and the Senate are notified of such proposed action.

In addition, not to exceed \$1,343,000 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act, as amended; in addition, as authorized by section 5 of such Act, \$490,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; in addition, as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed \$6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees

from educational advising and counseling and exchange visitor programs; and, in addition, not to exceed \$15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

In addition, for the costs of worldwide security upgrades, \$553,000,000, to remain available until expended.

#### CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, \$183,311,000, to remain available until expended, as authorized: *Provided*, That section 135(e) of Public Law 103-236 shall not apply to funds available under this heading.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, \$29,264,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980, as amended (Public Law 96-465), as it relates to post inspections.

#### EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, \$245,306,000, to remain available until expended: *Provided*, That not to exceed \$2,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, educational advising and counseling programs, and exchange visitor programs as authorized.

## REPRESENTATION ALLOWANCES

For representation allowances as authorized, \$6,485,000.

## PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, \$11,000,000, to remain available until September 30, 2004.

## EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926, as amended (22 U.S.C. 292-300), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, \$508,500,000, to remain available until expended as authorized, of which not to exceed \$25,000 may be used for domestic and overseas representation as authorized: *Provided*, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, \$755,000,000, to remain available until expended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR  
SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, \$6,500,000, to remain available until expended as authorized, of which not to exceed \$1,000,000 may be transferred to and merged with the Repatriation Loans Program Account, subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$612,000, as authorized: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, \$607,000, which may be transferred to and merged with the Diplomatic and Consular Programs account under Administration of Foreign Affairs.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act, Public Law 96-8, \$18,450,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND  
DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, \$138,200,000.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES  
CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, \$866,000,000: *Provided*, That any payment of arrearages under this title shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: *Provided further*, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings: *Provided further*, That funds appropriated under this paragraph may be obligated and expended to pay the full United States assessment to the civil budget of the North Atlantic Treaty Organization.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING  
ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, \$673,710,000, of which 15 percent shall remain

available until September 30, 2004: *Provided*, That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency as far in advance as is practicable): (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a reprogramming of funds pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: *Provided further*, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: *Provided further*, That none of the funds made available under this heading are available to pay the United States share of the cost of

court monitoring that is part of any United Nations peace-keeping mission.

#### INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

##### INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed \$6,000 for representation; as follows:

##### SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, \$25,482,000.

##### CONSTRUCTION

For detailed plan preparation and construction of authorized projects, \$5,450,000, to remain available until expended, as authorized.

##### AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment



Cooperation Commission as authorized by Public Law 103-182, \$9,472,000, of which not to exceed \$9,000 shall be available for representation expenses incurred by the International Joint Commission.

#### INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, \$17,100,000: *Provided*, That the United States' share of such expenses may be advanced to the respective commissions pursuant to 31 U.S.C. 3324.

#### OTHER

#### PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by the Asia Foundation Act (22 U.S.C. 4402), as amended, \$10,444,000, to remain available until expended, as authorized.

#### EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204-5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2003, to remain available until expended: *Provided*, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for

the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A-110 (Uniform Administrative Requirements) and A-122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

#### ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2003, to remain available until expended.

#### EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, \$18,000,000, of which \$2,500,000 shall remain available until expended: *Provided*, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

## NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, \$42,000,000, to remain available until expended.

## RELATED AGENCY

## BROADCASTING BOARD OF GOVERNORS

## INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the Broadcasting Board of Governors, as authorized, to carry out international communication activities, \$468,898,000, of which not to exceed \$16,000 may be used for official receptions within the United States as authorized, not to exceed \$35,000 may be used for representation abroad as authorized, and not to exceed \$39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, notwithstanding any other provision of law, not to exceed \$2,000,000 in receipts from advertising and revenue from business ventures, not to exceed \$500,000 in receipts from cooperating international organizations, and not to exceed \$1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes.

## BROADCASTING TO CUBA

For necessary expenses to enable the Broadcasting Board of Governors to carry out broadcasting to Cuba, including the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception, \$24,996,000, to remain available until expended.

## BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, and improvement of facilities for radio transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized, \$12,740,000, to remain available until expended, as authorized.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND  
RELATED AGENCY

SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by 5 U.S.C. 3109; and for hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between

such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided further*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. None of the funds made available in this Act may be used by the Department of State or the Broadcasting Board of Governors to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

SEC. 404. For the purposes of registration of birth, certification of nationality, or issuance of a passport of a United States citizen born in the city of Jerusalem, the Secretary of State shall, upon request of the citizen, record the place of birth as Israel.

SEC. 405. (a) Within 90 days of enactment of this Act, the Secretary of the Navy shall transfer, without compensation, to the Secretary of State administrative jurisdiction over the parcels of real property, together with any improvements thereon, consisting in aggregate of approximately 10 acres at Naval Base, Charleston, South Carolina, described in subsection (b).

(b) The parcels of real property described in this subsection are as follows:

(1) A parcel bounded by Holland Street, Dyess Avenue, and Hobson Avenue to the entrance way immediately west of Building 202.

(2) A parcel bounded on the north by Dyess Avenue comprising Building 644.

(c) The transfer of jurisdiction of real property under subsection (a) shall not effect the validity or term of any lease with respect to such real property in effect as of the date of the transfer.

(d) The Secretary of State shall use the property transferred under subsection (a) for support of diplomatic and consular operations.

(e) The exact acreage and legal description of the property transferred under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy.

(f) The Secretary of the Navy may require such additional terms and conditions in connection with the transfer of property under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 406. (a) The Interagency Task Force to Monitor and Combat Trafficking shall establish a Senior Policy Operating Group.

(b) The Operating Group shall consist of the senior officials designated as representatives of the appointed members of the President's Interagency Task Force to Monitor and Combat Trafficking in Persons (established under Executive Order 13257 of February 13, 2002).

(c) The Operating Group shall coordinate agency activities regarding policies (including grants and grant policies) involving the international trafficking in persons and the implementation of this division.

(d) The Operating Group shall fully share information regarding agency plans, before and after final agency decisions are made, on all matters regarding grants, grant policies, and other significant actions regarding the international trafficking of persons and the implementation of this division.

(e) The Operating Group shall be chaired by the Director of the Office to Monitor and Combat Trafficking of the Department of State.

(f) The Operating Group shall meet on a regular basis at the call of the chair.

This title may be cited as the “Department of State and Related Agency Appropriations Act, 2003”.

## TITLE V—RELATED AGENCIES

### DEPARTMENT OF TRANSPORTATION

#### MARITIME ADMINISTRATION

#### MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$98,700,000, to remain available until September 30, 2005.

#### OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$92,696,000, of which \$13,000,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy.

#### SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, \$11,161,000, to remain available until expended.



MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM  
ACCOUNT

For administrative expenses to carry out the guaranteed loan program, not to exceed \$4,126,000, which shall be transferred to and merged with the appropriation for Operations and Training.

ADMINISTRATIVE PROVISIONS—MARITIME

ADMINISTRATION

Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefore shall be credited to the appropriation charged with the cost thereof: *Provided*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriation Act.

COMMISSION FOR THE PRESERVATION OF AMERICA'S  
HERITAGE ABROAD

SALARIES AND EXPENSES

For expenses for the Commission for the Preservation of America's Heritage Abroad, \$499,000, as authorized by section 1303 of Public Law 99-83.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$9,096,000: *Provided*, That not to exceed \$50,000 may be used to employ consultants: *Provided further*, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days.

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of

1998 (Public Law 105-292), \$2,884,000, to remain available until expended.

COMMISSION ON OCEAN POLICY

SALARIES AND EXPENSES

For the necessary expenses of the Commission on Ocean Policy, \$2,000,000.

COMMISSION ON SECURITY AND COOPERATION IN  
EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94-304, \$1,582,000, to remain available until expended as authorized by section 3 of Public Law 99-7.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE

PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized, \$1,380,000, including not more than \$3,000 for the purpose of official representation, to remain available until expended.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the

( to remain  
available  
until  
expended

Civil Rights Act of 1964, as amended (29 U.S.C. 206(d) and 621-634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; and not to exceed \$33,000,000 for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, \$308,822,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,500 from available funds.

#### FEDERAL COMMUNICATIONS COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901-5902; not to exceed \$600,000 for land and structure; not to exceed \$500,000 for improvement and care of grounds and repair to buildings; not to exceed \$4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and

services as authorized by 5 U.S.C. 3109, \$271,000,000, of which not to exceed \$300,000 shall remain available until September 30, 2004, for research and policy studies: *Provided*, That \$269,000,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, as amended, and shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2003 so as to result in a final fiscal year 2003 appropriation estimated at \$2,000,000: *Provided further*, That any offsetting collections received in excess of \$269,000,000 in fiscal year 2003 shall remain available until expended, but shall not be available for obligation until October 1, 2003.

#### FEDERAL MARITIME COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902, \$16,700,000: *Pro-*

*vided*, That not to exceed \$2,000 shall be available for official reception and representation expenses.

## FEDERAL TRADE COMMISSION

### SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed \$2,000 for official reception and representation expenses, \$176,608,000, to remain available until expended: *Provided*, That not to exceed \$300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718, as amended: *Provided further*, That, notwithstanding any other provision of law, not to exceed \$168,100,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, and offsetting collections derived from fees sufficient to implement and enforce the do-not-call provisions of the Telemarketing Sales Rule, 16 C.F.R. Part 310, promulgated under the Telephone Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), estimated at \$18,100,000, shall be collected pursuant to this authority:

*Provided further*, That all offsetting collections shall be credited to this appropriation, used for necessary expenses, and remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2003, so as to result in a final fiscal year 2003 appropriation from the general fund estimated at not more than \$8,508,000: *Provided further*, That none of the funds made available to the Federal Trade Commission shall be available for obligation for expenses authorized by section 151 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Public Law 102-242; 105 Stat. 2282-2285).

#### LEGAL SERVICES CORPORATION

##### PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, \$338,848,000, of which \$9,500,000 is to provide supplemental funding for basic field programs, and related administration, for service areas (including a merged or reconfigured service area) that will receive less funding under the Legal Services Corporation Act for fiscal year 2003 than the area received for fiscal year 2002, due to use of data from the 2000 Census, and of which \$310,048,000 is for basic field pro-

grams and required independent audits; \$2,600,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; \$13,300,000 is for management and administration; and \$3,400,000 is for client self-help and information technology.

ADMINISTRATIVE PROVISION—LEGAL SERVICES

CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2002 and 2003, respectively, and except that section 501(a)(1) of Public Law 104–134 (110 Stat. 1321–51, et seq.) shall not apply to the use of the \$9,500,000 to address loss of funding due to Census-based reallocations.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission, \$3,050,000, of which \$500,000 shall remain available until September 30, 2004.



NATIONAL VETERANS BUSINESS DEVELOPMENT  
CORPORATION

For necessary expenses of the National Veterans Business Development Corporation as authorized under section 33(a) of the Small Business Act, as amended, \$2,000,000.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed \$3,000 for official reception and representation expenses, \$716,350,000; of which not to exceed \$10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed \$100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities mar-

kets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (1) such incidental expenses as meals taken in the course of such attendance; (2) any travel and transportation to or from such meetings; and (3) any other related lodging or subsistence: *Provided*, That fees and charges authorized by sections 6(b) of the Securities Exchange Act of 1933 (15 U.S.C. 77f(b)), and 13(e), 14(g) and 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78m(e), 78n(g), and 78ee) shall be credited to this account as offsetting collections: *Provided further*, That not to exceed \$716,350,000 of such offsetting collections shall be available until expended for necessary expenses of this account: *Provided further*, That the total amount appropriated under this heading from the general fund for fiscal year 2003 shall be reduced as such offsetting fees are received so as to result in a final total fiscal 2003 appropriation from the general fund estimated at not more than \$0.

#### SMALL BUSINESS ADMINISTRATION

##### SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 105-135, including hire of passenger motor

vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed \$3,500 for official reception and representation expenses, \$314,457,000: *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: *Provided further*, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations: *Provided further*, That \$89,000,000 shall be available to fund grants for performance in fiscal year 2003 or fiscal year 2004 as authorized.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$12,422,000.

#### BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$3,726,000, to be available until expended; and for the cost of guaranteed loans, \$85,360,000, as authorized by 15 U.S.C. 631 note, of which \$45,000,000 shall remain available until September 30, 2004: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That during fiscal year 2003 commitments to guarantee loans under section 503 of the Small

Business Investment Act of 1958, as amended, shall not exceed \$4,500,000,000, as provided under section 20(h)(1)(B)(ii) of the Small Business Act: *Provided further*, That during fiscal year 2003 commitments for general business loans authorized under section 7(a) of the Small Business Act, as amended, shall not exceed \$10,000,000,000 without prior notification of the Committees on Appropriations of the House of Representatives and Senate in accordance with section 605 of this Act: *Provided further*, That during fiscal year 2003 commitments to guarantee loans for debentures and participating securities under section 303(b) of the Small Business Investment Act of 1958, as amended, shall not exceed the levels established by section 20(i)(1)(C) of the Small Business Act.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$129,000,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

#### DISASTER LOANS PROGRAM ACCOUNT

For the cost of direct loans authorized by section 7(b) of the Small Business Act, as amended, \$73,140,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

In addition, for administrative expenses to carry out the direct loan program, \$118,354,000, which may be transferred to and merged with appropriations for Salaries and Expenses, of which \$500,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan program and shall be transferred to and merged with appropriations for the Office of Inspector General; of which \$108,000,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program; and of which \$9,854,000 is for indirect administrative expenses: *Provided*, That any amount in excess of \$9,854,000 to be transferred to and merged with appropriations for Salaries and Expenses for indirect administrative expenses shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ADMINISTRATIVE PROVISION—SMALL BUSINESS

ADMINISTRATION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this paragraph

shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

#### STATE JUSTICE INSTITUTE

##### SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102-572; 106 Stat. 4515-4516), \$3,000,000: *Provided*, That not to exceed \$2,500 shall be available for official reception and representation expenses.

#### TITLE VI—GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except

where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2003, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2003, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects (including construction projects), or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 606. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.



SEC. 607. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 608. None of the funds made available in this Act may be used to implement, administer, or enforce any

guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 609. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds: (1) that the United Nations undertaking is a peacekeeping mission; (2) that such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) that the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

SEC. 610. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subparagraphs (A) and (B) of section 609 of that Act shall continue to apply during fiscal year 2003.

SEC. 611. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to implement, enforce, or otherwise abide by the Memorandum of Agreement signed by the Federal Trade Commission and the Antitrust Division of the Department of Justice on March 5, 2002.

SEC. 612. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 613. Of the funds appropriated in this Act under the heading "Office of Justice Programs—State and Local Law Enforcement Assistance", not more than

90 percent of the amount to be awarded to an entity under the Local Law Enforcement Block Grant shall be made available to such an entity when it is made known to the Federal official having authority to obligate or expend such funds that the entity that employs a public safety officer (as such term is defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide such a public safety officer who retires or is separated from service due to injury suffered as the direct and proximate result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit (as such terms are defined by State law) with the same or better level of health insurance benefits at the time of retirement or separation as they received while on duty.

SEC. 614. Hereafter, none of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 615. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by

section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999, as amended.

(b) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2003.

SEC. 616. None of the funds appropriated pursuant to this Act or any other provision of law may be used for: (1) the implementation of any tax or fee in connection with the implementation of 18 U.S.C. 922(t); and (2) any system to implement 18 U.S.C. 922(t) that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from owning a firearm.

SEC. 617. Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. 10601 in any fiscal year in excess of \$600,000,000 shall not be available for obligation until the following fiscal year, with the exception of emergency appropriations made available by Public Law 107-38 and transferred to the Fund.

SEC. 618. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of

students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 619. None of the funds appropriated or otherwise made available to the Department of State and the Department of Justice shall be available for the purpose of granting either immigrant or nonimmigrant visas, or both, consistent with the Secretary's determination under section 243(d) of the Immigration and Nationality Act, to citizens, subjects, nationals, or residents of countries that the Attorney General has determined deny or unreasonably delay accepting the return of citizens, subjects, nationals, or residents under that section: *Provided*, That the Attorney General shall notify the Secretary of State in every instance when a foreign country denies or unreasonably delays accepting an alien who is a citizen, subject, national, or resident of that country after the Attorney General asks whether the Government will accept the alien under section 243 of the Immigration and Nationality Act.

SEC. 620. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by

the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 621. (a) Hereafter, none of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes.

(b) The preceding sentence does not preclude the renting, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.

SEC. 622. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 623. Of the funds appropriated in this Act for the Departments of Commerce, Justice, and State, the Judiciary, and the Small Business Administration, \$100,000 shall be available to each Department or agency only to implement telecommuting programs: *Provided*, That, six months after the date of enactment of this Act and every six months thereafter, each Department or agency shall provide a report to the Committees on Appropriations on

the status of telecommuting programs, including the number of Federal employees eligible for, and participating in, such programs: *Provided further*, That each Department or agency shall designate a "Telework Coordinator" to be responsible for overseeing the implementation of telecommuting programs and serve as a point of contact on such programs for the Committees on Appropriations.

SEC. 624. The paragraph under the heading "Small Business Administration—Business Loans Program Account" in chapter 2 of division B of Public Law 107–117 (115 Stat. 2297) is amended by inserting "or section 7(a) of the Small Business Act (15 U.S.C. 636(a))" after "September 11, 2001".

SEC. 625. For additional amounts under the heading "Small Business Administration, Salaries and Expenses", \$2,000,000 shall be available for a grant to the Innovation and Commercialization Center; \$2,000,000 shall be available for the Mississippi State University MAF/TIGER database project; \$1,000,000 shall be for the Black Hills Rural Tourism Marketing Program; \$1,500,000 shall be for the Center for Tourism Research; \$3,125,000 shall be for the National Inventor's Hall of Fame; \$3,175,000 shall be for the Boston Museum of Science; \$2,000,000 shall be for the Tuck School and Minority Business Development Agency Partnership; \$2,000,000 shall be for the



Oklahoma International Trade Processing Center; \$300,000 shall be for the Providence, Rhode Island Center for Women and Enterprise; \$500,000 shall be for the Ogontz Revitalization Corporation; \$500,000 shall be for the Idaho Virtual Incubator, Phase III; \$1,600,000 shall be for the Adelante grant; \$300,000 shall be for the Immigration Services project in Iowa; \$2,000,000 shall be for the Microdevice Fabrication Facility; \$700,000 shall be for the Carvers Bay Library; \$1,000,000 shall be for technical upgrades for the Northwest Center for Engineering, Science, and Technology; \$200,000 shall be for the Southern New Mexico High Technology Consortium; \$1,000,000 shall be for the American Museum of Natural History; \$200,000 shall be for the Program for International Education and Training; \$2,000,000 shall be available for a grant to the St. Louis Enterprise Center in St. Louis County, Missouri to expand programs, operations and facilities to assist in business incubation; \$400,000 shall be available for a grant for the Promesa Enterprises to provide back office services and infrastructure support to community-based organizations in the Bronx, New York; \$700,000 shall be available for a grant to the New York City Department of Parks, working in conjunction with Youth Ministries for Peace and Justice, for developing a facility in New York City's Starlight

Park; \$300,000 shall be available for a grant to the Urban Justice Center to provide legal assistance to groups engaged in community development in low-income neighborhoods; \$650,000 shall be available for a grant to CAP Services of Stevens Point, Wisconsin to purchase and renovate property; \$200,000 shall be available for a grant for the Promesa Foundation in South Bronx, New York to provide community growth funding; \$400,000 shall be available for a grant to the ~~Builders for Family and Youth, an affiliate of Catholic Charities of Brooklyn & Queens, to provide English, job readiness and citizenship education services~~; \$1,100,000 shall be available for a grant to J.F. Drake State Technical College in Huntsville, Alabama to construct and equip a media center in support of local business needs; \$1,100,000 shall be available for a grant to the City of Los Angeles, California to develop a facility to support downtown business development; \$1,100,000 shall be available for a grant to the MountainMade Foundation to fulfill its charter purposes and to continue the initiative developed by the NTTC for outreach and promotion, business and sites development, the education of artists and craftspeople, and to promote small businesses, artisans and their products through market development, advertisement, commercial sale and other promotional means; \$700,000 shall be available for

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Club of  
New York  
to provide  
for facility  
development

a grant to Lord Fairfax Community College for workforce development programs; \$700,000 shall be available for a grant to the Village of Edgar, Wisconsin to purchase and redevelop property as a small business park to support local agriculture; \$500,000 shall be available for a grant to the West Virginia High Technology Consortium to develop a small business commercialization grant program; \$250,000 shall be available for a grant to Johnstown Area Regional Industries in Pennsylvania to develop small business technology centers; \$250,000 shall be available for a grant to the Economic Growth Connection of Westmoreland to establish a Paperless Procurement grant program; \$350,000 shall be available for a grant to the Fayette County, Pennsylvania Community Action Agency for the Republic Incubator Project; \$1,000,000 shall be available for a grant to the Shenandoah Valley Discovery Museum to establish a new facility; \$500,000 shall be available for a grant to the University of Tennessee at Chattanooga for the Riverbend Technology Institute for the technology incubator project; \$500,000 shall be available for a grant to the California State University, San Bernardino for development of the Center for the Commercialization of Advanced Technology; \$1,000,000 shall be available for a grant to the Rhode Island School of Design for the modernization of a building to establish a small business incu-

bator; \$500,000 shall be available for a grant to the University of Scranton to establish an Electronic Business Technology Center; \$500,000 shall be available for a grant to Experience Works!, Incorporated for small business program activities; \$500,000 shall be available for a grant to Wilberforce University to improve technology systems; \$500,000 shall be available for a grant to Millikin University for facilities development for the Business and Technology Center; \$500,000 shall be available for a grant to the Michael J. Quill Irish Cultural and Sports Center for facilities development; \$2,600,000 shall be available for a grant to Iowa State University for the development of a research park biologics facility; \$1,000,000 shall be available for a grant to the Southern Kentucky Tourism Development Association for continuation of a regional tourism promotion initiative; \$450,000 shall be available for a grant to the Bronx Council on the Arts to help promote stabilization of small arts organizations; \$500,000 shall be available for a grant to Southern Kentucky Rehabilitation Industries for internal development; \$250,000 shall be available for a grant to Johnstown Area Regional Industries in Pennsylvania to continue the workforce development training program; \$500,000 shall be available for grant to the City of Monticello, Kentucky for commercial revitalization activities; \$1,500,000 shall be available for

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a grant to Shenandoah University to develop a historical and tourism development facility; \$500,000 shall be available for a grant to the City of Merrill, Wisconsin to purchase and redevelop industrial property to support economic growth; \$2,500,000 shall be available for a grant to the Virginia Community College System (VCCS) for improvement of distance learning programs; \$750,000 shall be available for a grant to Soundview Community in Action for a technology access and business improvement project; \$100,000 shall be available for a grant to the Gospel Rescue Ministries for facilities renovation; \$450,000 shall be available for a grant to the Pregones Theater in the South Bronx, New York for construction improvements; \$100,000 shall be available for a grant to the Atoka Preservation Society for facility restoration activities; \$500,000 shall be available for a grant to the Virginia Science Museum for marine science and other environmental program activities at Belmont Bay; \$500,000 shall be available for a grant to the Infotonics Center of Excellence for small business incubation activities; \$500,000 shall be available for a grant to the Chicago Field Museum to renovate and develop a facility; \$500,000 shall be available for a grant to the Cedarbridge Development Urban Renewal Corporation for office complex development activities; and \$500,000 shall be available for a grant to the

City of Belvidere, Illinois to establish a Small Business Agriculture-Technology Incubator and New Use Economy Information Center: *Provided*, That Section 629 of Public Law 107-77 is amended with respect to a grant of: (1) \$500,000 to Johnstown Area Regional Industries for the High Technology Initiative and Wireless/Digital Technology Program by deleting the word "for" after "Industries" and inserting the words "to provide technical and financial assistance under a High Technology Initiative and Wireless Digital Technology Program."; (2) \$2,000,000 to the Los Angeles Conservancy by adding the phrase ", including the use of subgrants and other forms of financial assistance" after "rebuilding and revitalization."; (3) \$500,000 for a grant to Yonkers, New York by deleting "Yonkers, New York" and inserting "the Yonkers Industrial Development Agency"; and (4) \$450,000 to the Southern Kentucky Rehabilitation Industries by deleting the words "financial assistance and small business development" after "for" and inserting "technology upgrades": *Provided further*, That, any grant made by the Small Business Administration to the MountainMade Foundation during fiscal year 2002 or to the NTTC at Wheeling Jesuit University during fiscal years 1998 through 2002 may be used by such entity to promote small businesses and artisans, and their products, through mar-

ket development, advertisement, commercial sale, and other promotional means: *Provided further*, That the preceding proviso shall apply to promotional activities occurring on or after October 1, 1997.

SEC. 626. Any amounts previously appropriated for the Port of Anchorage for an intermodal marine facility and access thereto shall be transferred to and administered by the Administrator for the Maritime Administration including non-federal contributions. Such amounts shall be subject only to conditions and requirements required by the Maritime Administration.

TITLE VII—RESCISSIONS  
DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

Of the unobligated balances available under this heading, ~~\$75,000,000~~ are rescinded.

LEGAL ACTIVITIES

(78,000,000)

ASSET FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, \$50,874,000 are rescinded.

135

IMMIGRATION AND NATURALIZATION SERVICE

IMMIGRATION EMERGENCY FUND

(RESCISSION)

Of the unobligated balances available under this heading, \$580,000 are rescinded.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC

ADMINISTRATION

COASTAL IMPACT ASSISTANCE

(RESCISSION)

Of the unobligated balances available under this heading, \$7,000,000 are rescinded.

DEPARTMENTAL MANAGEMENT

EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM

ACCOUNT

(RESCISSION)

Of the unobligated balances available under this heading from prior year appropriations, \$920,000 are rescinded.

RELATED AGENCIES

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

Of the unobligated balances available under this heading, \$5,700,000 are rescinded.



SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

(RESCISSION)

Of the unobligated balances available under this heading from prior year appropriations, \$13,750,000 are rescinded.

BUSINESS LOANS PROGRAM ACCOUNT

(RESCISSION)

Of the unobligated balances available under this heading from prior year appropriations, \$10,500,000 are rescinded.

This division may be cited as the "Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2003".